

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO.:

TELIA JOHNSON, individually and as
parent and next friend of
JOEL CEPEDA-JOHNSON,
Plaintiff,

v.

BOSTON HOUSING AUTHORITY,
And BROMLEY-HEATH TENANT
MANAGEMENT CORPORATION,
Defendants.

NOTICE OF REMOVAL

Now comes the Defendant, Boston Housing Authority, by and through its attorneys, Curley & Curley, P.C., by filing this notice of removal, hereby removes this action from the Commonwealth of Massachusetts, Housing Court Department, City of Boston Division, to the United States District Court, District of Massachusetts.

Defendant, Boston Housing Authority, states as follows:

- 1) Plaintiff filed this action in the Commonwealth of Massachusetts, Boston Housing Court on or about April 18, 2012;
- 2) On April 20, 2012, the Boston Housing Authority first learned of the existence of this action by the service on it of the Summons, Complaint, and Tracking Order. Copies of these documents are attached hereto as Ex. 1.
- 3) Count Five of the Complaint alleges violations of three federal statutes: 42 U.S.C. §§ 3601 et seq.; 29 U.S.C. §§ 701 et seq.; and 42 U.S.C. §§ 1201.

- 4) This Court has original jurisdiction under 28 U.S.C., §1331 because this is an action raises federal questions.
- 5) The Defendant, Eugene Salvatore, assents to the filing of this petition for removal.
- 6) The Boston Housing Authority will promptly file a copy of this notice with the Commonwealth of Massachusetts, Boston Housing Court as required by 28 U.S.C. §1446(d) and will promptly serve upon Plaintiff a true and correct copy of this notice as required by law.
- 12) As set forth above, the Defendant, Boston Housing Authority, is entitled to remove this action to the United States District Court, District of Massachusetts under 28 U.S.C. §1441.

WHEREFORE, Defendant, Boston Housing Authority, gives notice of this removal to the United States District Court, District of Massachusetts.

Respectfully submitted,

/S/ Martin J. Rooney
Martin J. Rooney, Esq., BBO#426910
Attorney for Boston Housing Authority
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REMOVAL ASSENTED TO:

/S/ John Egan

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Attorney for Defendant Bromley-Heath Tenant Management Corporation

CERTIFICATE OF SERVICE

I, Martin J. Rooney, Esq. hereby certify that on May 8, 2012, a true and correct copy of this document has been served on all counsel of record through the ECF system.

/S/ Martin J. Rooney

Martin J. Rooney, Esq., BBO#426910

Attorney for Boston Housing Authority

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